

Draft Summary 4th Update Issues

The following issues have been divided into 3 categories: **Policy Issues, Consistency Corrections and Minor Format Corrections, and**. The issues have been rated a high priority and will be addressed in the 4th Update.

Issue #	Section	Description
Policy Issues		
1.	New Section 131.0466	Reasonable Accommodations Procedures. Establish Reasonable Accommodations Procedures to be consistent with the Attorney General's affirmative duty letter.
2.	143.0510	SRO Hotel Regulations. Amend the LDC's SRO regulations to be consistent with state law.
3.	141.0302	Companion Units. Amend the occupancy requirements for companion units to reflect the outcome of the Santa Monica case.
4.	131.0231	Residential Open Space Category. Create another category in the OR zone to address lots in urbanized areas to provide relief for narrow lots.
5.	111.0203	Board of Zoning Appeals. Amend the applicable LDC sections to dissolve the Board of Zoning Appeals.
Consistency Corrections		
6.	103.1703	Amend the Applicable Regulations Section of the Southeastern San Diego PDO to include LDC Chapter 14, Article 2, Division 11 (Outdoor Storage, Display, and Activity Regulations) to the Southeastern San Diego PDO.
7.	Throughout LDC	Remove the redundancies with Municipal Code Chapter 6 relating to public improvements, right-of-way and CEQA (Ch. 6, Art. 9, Divisions 1 through 3)
8.	Chapter 6	Park Fees. Transfer regulations regarding the collection of park fees from Chapter 6 into LDC.
9.	112.0304(d)	Defacing or Removing Posted Notices. Add new subsection stating that it is unlawful to deface or remove posted notices.
10.	113.0103	Definition of Kitchen. Amend the definition of kitchen by removing the requirement of having to contain a sink, refrigerator, stove and range or oven.

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11.	113.0231 and 113.0270	Determining Proposed Grade. Clarify Diagram 113-02H (Proposed Grade with Basement) language to match that of the corresponding text. Additionally, this section will be amended to clarify that the bottoms of pools and spas will not be considered as proposed grade.
12.	126.0402(h) and 142.0310(a)(1)	Right-of-Way Permit. Clarify procedures within the LDC for the newly adopted Process 2 Right-of-Way Permit.
13.	121.0309(b)	Procedures for Issuing a Stop Work Order. Clarify when the City Attorney must review a Stop Work Order prior to issuance and when they do not.
14.	125.0120(b)	When a Map Waiver May Be Requested. Amend text to clarify that requests for map waivers also apply to condominium conversions.
15.	129.0503(a)	Demolition Permits. Add clarification that a demolition/removal permit shall not be issued if the proposed development is in the process of obtaining a development permit.
16.	131.0443(e)(3)(A)	Variable Setbacks in Residential Zones. Clarify that the side setback variation for RE and RS zones was not intended for each structure on the property to have a different side setback. Once a side set back is established all structures shall adhere to that.
17.	131.0461(a)(3)(B)	Bay Windows and Dormers. Edit the text “The bay window shall not be closer than 4 feet to the property line” and change to “3 feet to the property line” to be consistent with dormer projections.
18.	132.1202	Mission Trails Design District Issues. Clarify intent of when a Site Development Permit is required for development within the Mission Trails Design District.
19.	142.0810(b)(6)	Refuse and Recyclable Material Storage. Clarify the contradiction between (b)(4) and (b)(6) by separating commercial development on premises not served by an alley from areas that are.
20.	142.0340(c)	Retaining Wall Regulations. Edit Diagram 142-03G, so it accurately reflects textual statements in 142.0340(c)&(d) relating to 3-foot and 6-foot horizontal separation.
Minor Format Corrections		
21.	Chapter 5	Revise zone references contained in Chapter 5, Article 9.5, Division 4 Noise Abatement and Control table so they reflect the same zones as described in the LDC.

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22.	Throughout LDC	Correct the errors in italicized words, capitalization, punctuation, etc. (Numerous occurrences of this.)
23.	Several, including 111.0207(b)(3) and 111.0208(b)(2)(J)	Board of Building Appeals and Advisors. Revise the reference to the "Community and Economic Development Manager" should be updated to the current title: "Planning Director".
24.	113.0252(b)	Measuring Setbacks. Clarify that requirements for setbacks, apply only to those portions of underground parking structures, first stories and basements that are above grade.
25.	121.0302(b)(1)	Correct the term "premises" used in this subsection. The correct term should be "structures". "To erect, place, construct, convert.... premises <u>structures</u> ."
26.	121.0309(c)	Edit reference from "Planning and Development Review Director" to "Development Services Director".
27.	126.0303(b)	Edit the typographical error in the land use requiring a CUP, Process called "Privately operated recreational facilities over 10,000 square feet" the size is incorrect - it should be 40,000 square feet
28.	127.0104	Edit the typographical error in the heading of this section by deleting the phrase "is required" immediately following "Maintenance, Repair, or Alteration of Previously Conforming Structures".
29.	127.0202	General Rules for Previously Conforming Signs. Delete duplicated text from (b) and renumber subsequent subsections. Currently subsections (a) and (b) are identical.
30.	128.0103 & 128.0104	Correct reference to the Planning and Development Review Director to <u>Development Services Director</u>
31.	129.0104	Edit reference to "Encroachment Permits" this is not a valid term.
32.	131.0422 (Table 131-04B)	Add the Use Table for RM Zones that was not included in the final Ordinance for the 2 nd Update, relating to communication antennas.
33.	131.0444	Add cross-references to Section 131.0444(e)(2) [Structure Height] and 131.0461(a)(9) [Architectural Projections and Encroachments] relating to chimneys and dormers to clarify that both apply.

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34.	131.0444(e)(2) & (f)(2), 131.0461(b)(6), 131.0464(c)	Remove the word “window(s)” where “dormer window(s)” is referenced.
35.	131.0461(a)(4)(B)	Correct the typographical error in this sentence: “The fireplace and chimney are not be subject to the 45 degree...” Strikeout “be”.
36.	131.0461(b)(3)(D)	Architectural Projections - Add a sentence to clarify that architectural projections shall not exceed the Prop. D Height Limit as described in 132.0505. Also add: (D) "...so that the highest point is up to 5 feet above the maximum structure of the <u>base zone</u> ." <u>(However, no building or addition to a building shall be permitted to exceed the established height limit by any overlay zones.) See Overlay Zones Chapter 13, Article 2, Division 1.</u>
37.	142.0740(c)	Correct reference to “ Sections 141.0740 (a) and (b)” to <u>142.0740</u> (a) and (b)
38.	142.1240(c)	Correct reference in Table 142-12H pertaining to <i>visibility areas</i> it should be “113.0273” not 113.-0118
39.	143.0140(a)	Edit reference regarding Covenants of Easement procedures. It should be Section 143.015 <u>2</u> not Section 143.015 <u>1</u> .
40.	143.0302	Update incorrect references to various sections in Table 143-03A - Supplemental Neighborhood Development Permit or Site Development Permit Regulations Applicability.
41.	143.0760	Update reference “Section 126.0504(m)” to 126.0504(<u>l</u>)
42.	146.0106(a)&(b)	Reformat the numbering of the Sub-sections of the 1998 (California Electrical Code That Have Been Adopted With Modifications) Both (a) and (b) are not numbered consistently with the LDC.